

09-10-02

1642

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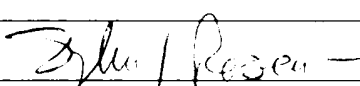
<b>TRANSMITTAL FORM</b>  (To be used for all correspondence after initial filing)	Application Number	09/744,866
	Filing Date	April 2, 2001
	First Named Inventor	Frank Austrup
	Group Art Unit	1642
	Examiner Name	Stephen L. Rawlings
	Attorney Docket No.	790076.403USPC

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> CD(s), Number of CD(s) _____
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449	<input type="checkbox"/> Declaration	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
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<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement	_____
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Individual Name	Stephen J. Rosenman, Ph.D.	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	September 9, 2002	



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PATENT # 10

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Frank Austrup and Michael Giesing  
Application No. : 09/744,866  
Filed : April 2, 2001  
For : CANCER CELLS FROM BODY FLUIDS CONTAINING CELLS,  
ISOLATION THEREOF AND AGENTS CONTAINING THE  
SAME

Examiner : Stephen L. Rawlings  
Art Unit : 1642  
Docket No. : 790076.403USPC  
Date : September 9, 2002

Commissioner for Patents  
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated August 7, 2002, applicants hereby elect with traverse Group I, claims 1-7 and 10, for examination at this time.

In view of the above election, applicant hereby request that claims 8 and 9 and claims 11-21 be withdrawn without prejudice to the filing of any divisional, continuation, or continuation-in-part application. Additionally, although moot in view of the instant election, applicants reserve the right to traverse in such future applications the restriction of the application into the inventions of Group II (claim 8) and Group III (claim 9). Consideration of the Remarks submitted herewith and of the elected claims is now requested.

REMARKS

Claims 1-21 are currently pending. Applicants hereby elect Group I (claims 1-7 and 10), with traverse, as discussed in greater detail below, and request withdrawal of claims 8, 9